

HOUSE BILL No. 1831

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24-17; IC 16-18-2; IC 16-19-3-26; IC 16-19-14.

Synopsis: Anatomical gift registry. Requires the state department of health to establish and maintain an anatomical gift registry. Requires the bureau of motor vehicles to transmit to the state department of health information regarding individuals who have made anatomical gift donations for inclusion in the registry. Requires that an individual be allowed to make an anatomical gift by document sent or communicated by mail or through use of the Internet. Requires that expenses incurred in administering the registry will be paid from the anatomical gift promotion fund. Requires the state department of health to make the information in the registry available to all licensed hospitals at no cost.

Effective: July 1, 2001.

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January 17, 2001, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.



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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1831

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-24-17-7, AS AMENDED BY P.L.29-2000,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 7. (a) Before an individual who is less than
4 eighteen (18) years of age may make an anatomical gift, the bureau
5 must obtain and document the consent required under section 8 of this
6 chapter and the consent of the individual's parent or guardian.

7 (b) The bureau may charge a fee to an individual making an
8 anatomical gift under section 1 of this chapter. The fee must equal an
9 amount necessary to cover the cost of:

10 (1) making available a document that acknowledges the making
11 of the gift; **and**

12 (2) **transmitting a record containing information concerning**
13 **the making of the gift to the anatomical gift registry**
14 **maintained by the state department of health under**
15 **IC 16-19-14.**

16 SECTION 2. IC 9-24-17-9 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The bureau shall

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keep a record containing information concerning each individual who has made an anatomical gift under this chapter.

(b) The bureau shall transmit the information contained in a record described in subsection (a) to the state department of health for inclusion in the anatomical gift registry established under IC 16-19-14. Information transmitted under this subsection may include personal information (as defined in IC 9-14-3.5-5).

SECTION 3. IC 16-18-2-315.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 315.5. "Registry", for purposes of IC 16-19-14, has the meaning set forth in IC 16-19-14-1.**

SECTION 4. IC 16-19-3-26, AS AMENDED BY P.L.63-2000, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. (a) The anatomical gift promotion fund is established. The fund consists of amounts distributed to the fund by the auditor of state under IC 9-18-2-16.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The state department shall administer the fund. Any expenses incurred in administering:

(1) the fund; or

(2) the anatomical gift registry established under IC 16-19-14; shall be paid from the fund.

(d) **After the expenses described in subsection (c) have been paid,** the state department shall select appropriate organ procurement organizations to which the money deposited in the fund shall be distributed.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 5. IC 16-19-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 14. Anatomical Gift Registry

Sec. 1. As used in this chapter, "registry" refers to the registry of anatomical gift donation information established by the state department under this chapter.

Sec. 2. The state department shall establish and maintain the anatomical gift registry.

Sec. 3. The state department shall include information received from the bureau of motor vehicles under IC 9-24-17-9 in the

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1 registry.

2 Sec. 4. The state department shall make the information
3 contained in the registry available to all hospitals licensed under
4 IC 16-21 at no cost.

5 Sec. 5. Expenses incurred for the operation of the registry shall
6 be paid from the anatomical gift promotion fund established by
7 IC 16-19-3-26.

8 Sec. 6. (a) The state department shall adopt rules under
9 IC 4-22-2 to implement this chapter.

10 (b) Rules adopted under this section must allow an individual to
11 make an anatomical gift by document sent or communicated:

12 (1) by mail; or

13 (2) via the Internet.

14 Sec. 7. This chapter does not limit the authority of an individual
15 described in IC 29-2-16-2(b) to object to the making of an
16 anatomical gift.

17 SECTION 6. [EFFECTIVE JULY 1, 2001] (a) Before January 1,
18 2002, the bureau of motor vehicles established under IC 9-14-1-1
19 shall transmit the information contained in the bureau's records
20 concerning each individual who has made an anatomical gift under
21 IC 9-24-17 to the state department of health for inclusion in the
22 anatomical gift registry established under IC 16-19-14, as added by
23 this act.

24 (b) This SECTION expires January 31, 2002.

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